

REMARKS

Claims 1-28 remain pending in this application. The final Office action has been reviewed in conjunction with the claims and the applied prior art. Further reconsideration of this application is requested in view of the following.

The rejection of claims 1-28 under 35 U.S.C. § 103 as being obvious over Soluri et al. in view of Hase is respectfully traversed and reconsideration of this ground of rejection is requested. As previously explained, each of the independent claims requires that at least a portion of the surfaces of the **sheets forming the collimation grid** be coated with an optically reflective material. The outstanding Office action relies on Fig. 3 of Soluri as allegedly meeting this claim limitation. This position is incorrect. Soluri discloses in paragraph 0038 regarding Fig. 3 that the lateral surfaces 23 and base face 22 of each **individual crystal 20** are coated by a layer 24 of optically reflecting material. The layer 24 does not coat or cover any portion of the septum 11 as alleged in the Office action. Soluri states that the lateral surface of the crystal **in the interspace** with the septa is coated. This clearly indicates that there exists a spacing between the crystal and the septa, such that the coating 24 covers the crystal surface and does not cover the surface of the septum 11. Merely having a reflecting layer of a crystal adjacent to a septum does not correspond to **coating** the surface of the septum with a reflective layer as required by the claims.

Additionally, one of ordinary skill in the art would not have been motivated by Hase to have modified the Soluri miniaturized scintigraphic device as proposed by the Office action. In this regard, Applicants' argument is **not** that features of one reference may not be bodily incorporated into the other reference as stated in the final rejection, but that no combination of Soluri with Hase would make obvious to one of ordinary skill in the art the invention as set forth in the claims pending in this application.

To reiterate, while Hase does state at col. 4, ll. 64-68 that the same principles disclosed for the fan beam collimator can be used for a parallel beam collimator, it remains the case that Hase does not suggest placement of individual crystals between the septa of the disclosed collimator. As previously explained, Hase teaches the requirement of a box frame 13 as shown in Fig. 5, with walls 9 and transparent bottom frame element 12, as a necessary structural requirement of the disclosed collimator.


Therefore, the collimator of Hase is intended to be used, and in fact must be used, with a scintillation crystal slab. There simply is no suggestion or teaching in Hase of any other use of the disclosed collimator.

The alleged "teaching" of Hase to improve the manufacturing yield of a conventional mass-produced collimator does not provide the requisite suggestion in the art to modify the specialized, miniaturized device disclosed by Soluri. It is axiomatic that a prior art reference must be considered as a whole for what it discloses to those skilled in the art, and thus it is improper to take individual statements such as the quoted statement out of the context of the prior art reference as a whole. Hase considered as a whole simply does not suggest placement of individual crystals between septa as disclosed by the specialized device of Soluri. Improvement in manufacturing yield of a mass-produced collimator simply does not suggest making any modification to a niche product as disclosed by Soluri. A manufacturer of the Soluri device would not be anxious about improving manufacturing yield as the Soluri device does not have the mass demand of a conventional-use collimator as disclosed by Hase.

Conclusion

In view of the foregoing, claims 1-28 are respectfully submitted to be directed to a novel collimator device, and scintigraphic device including such collimator, which is not taught or suggested by the prior art of record. Accordingly, favorable reconsideration of this application, withdrawal of the outstanding grounds of rejection, and the issuance of a Notice of Allowance is earnestly solicited.

Please charge any fee or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to Novak Druce Deposit Account No. 14-1437.

RESPECTFULLY SUBMITTED,					
NAME AND REG. NUMBER	Vincent M. DeLuca Attorney for Applicants Registration No. 32,408				
SIGNATURE			DATE	9 January 2007	
Address	Novak, Druce, DeLuca + Quigg LLP 1300 I Street, N.W., Suite 1000 West Tower				
City	Washington	State	D.C.	Zip Code	20005
Country	U.S.A.	Telephone	202-659-0100	Fax	202-659-0105